

**COX, WOOTTON, GRIFFIN,  
HANSEN & POULOS, LLP**

Richard C. Wootton (SBN 88390)  
Max L. Kelley (SBN 205943)  
190 The Embarcadero  
San Francisco, CA 94105  
Telephone No.: 415-438-4600  
Facsimile No.: 415-438-4601

Attorneys for Plaintiff  
BRUSCO TUG & BARGE, INC.

**BRODSKY MICKLOW BULL  
& WEISS LLP**

Kurt Micklow (SBN 113974)  
Edward M. Bull, III (SBN 141996)  
384 Embarcadero West, Suite 200  
Oakland, CA 94607  
Telephone No.: 510-268-6181  
Facsimile No.: 510-268-618

Attorneys for Defendant CRAIG HEIHN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BRUSCO TUG & BARGE, INC.

Plaintiff,

v.

CRAIG HEIHN

Defendant.

Case No.: CV 11-0250 EJD

**STIPULATION AND  
[PROPOSED] ORDER  
SELECTING ADR PROCESS**

Civ. L.R. 16-8; ADR L.R. 3-5

Following the teleconference with the Court's ADR Program Legal Staff on Tuesday, May 10, 2001, counsel for the parties have met and conferred regarding ADR and have reached the following stipulation which is meant to supersede their previous stipulation filed on April 1, 2011 (Docket No. 11).

1 The parties agree to participate in private mediation provided by JAMS or a similar  
2 professional ADR provider. The parties further agree that they will complete private  
3 mediation at least 90 (ninety) days before trial.

4  
5 Dated: May 13, 2011

/s/ Max L. Kelley  
Richard C. Wootton (SBN 88390)  
Max L. Kelley (SBN 205943)  
COX, WOOTTON, GRIFFIN,  
HANSEN & POULOS, LLP  
190 The Embarcadero  
San Francisco, CA 94105  
Telephone No.: 415-438-4600  
Facsimile No.: 415-438-4601

Attorneys for Plaintiff BRUSCO TUG  
& BARGE, INC.

12  
13 Dated: May 13, 2011

/s/ Kurt Micklow  
BRODSKY MICKLOW BULL  
& WEISS LLP  
Kurt Micklow (SBN 113974)  
Edward M. Bull, III (SBN 141996)  
384 Embarcadero West, Suite 200  
Oakland, CA 94607  
Telephone No.: 510-268-6181  
Facsimile No.: 510-268-6181

Attorneys for Defendant CRAIG  
HEIHN

19  
20 ~~PROPOSED~~ ORDER

21 Pursuant to the Stipulation above, the captioned matter is hereby referred to private  
22 mediation. The deadline for the completion of private mediation is 90 (ninety) days before  
23 trial.

24  
25 **IT IS SO ORDERED.**

26  
27 Dated: May 17, 2011

  
U.S. DISTRICT COURT JUDGE

COX, WOOTTON,  
GRIFFIN, HANSEN  
& POULOS, LLP  
190 THE EMBARCADERO  
SAN FRANCISCO, CA  
94105  
TEL: 415-438-4600  
FAX: 415-438-4601

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